

REMARKS

The Examiner noted that "claim 33 purports to depend from itself, indicating a probable typo." Applicants agree that the dependency of claim 33 is a typographical error and have corrected claim 33 to depend from claim 20.

With regard to the Restriction Requirement, the Examiner stated that "In the instance case unpatentability of the group II product invention would not necessarily imply unpatentability of the group I process invention, because the product of group II invention could be made by a materially different process from that of Group I invention. For example, the product of claim 1 could be made by a process which included a step (f) of forming a tungsten silicide source region over said first dielectric layer and forming a tungsten silicide drain region over said second dielectric layer."

The Examiner has replaced the polysilicon source drain regions of Applicants claim 20 with tungsten silicide. First, Applicants respectfully point out, it is not possible to form a tungsten silicide layer over a dielectric layer as the Examiner has suggested. A tungsten silicide layer can only be formed over silicon by depositing a layer of tungsten on the silicon and then heating the layer to a high enough temperature in a reducing atmosphere to cause the tungsten to react with the silicon. Tungsten deposited on a layer of silicon dioxide (a common insulator) will not react with the silicon of the silicon dioxide because of thermodynamic constraints and silicon dioxide is often used as a mask to prevent silicide formation where it is not wanted.

Second, tungsten silicide is a conductor, while polysilicon is a semiconductor and thus a fundamentally different device would be formed as depletion and enhancement regions could not form about the source/drains.

Third, in all devices known to Applicants, tungsten silicide is used to form an ohmic contact to silicon source/drains, not replace silicon source/drains.

Further, Applicants respectfully submit that the subject matter of all claims 1-43 are sufficiently related that a thorough search for the subject matter of any one group of claims would encompass a search for the subject matter of the remaining claims. Thus, Applicants respectfully submit that the search and the examination of the entire application could be made without serious burden. See MPEP § 803, in which it is stated that "if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). Applicants respectfully submit that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

The Director is hereby authorized to charge and/or credit Deposit Account 09-0456.

Should the Examiner require or request anything further from Applicant's prior to examination, the Examiner is requested to contact Applicants' undersigned representative at the Agent Direct Dial telephone number below. Otherwise, Applicants request early and favorable examination on the merits

Respectfully submitted,
FOR: Anderson et al.

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